

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Stephen R. Lawrence
Application No.: 10/815,150
Filing Date: March 31, 2004
Title: Systems And Methods For Analyzing Boilerplate
Examiner: Navneet K. Ahluwalia
Group Art Unit: 2166
Atty. Dkt. No.: 24207-10085

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Dated: May 7, 2008 By: /Jie Zhang/
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REPLY BRIEF

This Reply Brief is filed in accordance with 37 CFR § 41.41 in response to the Examiner's Answer, which was mailed on March 18, 2008.

Argument

A. Claims 1-7, 10-18, and 21-26 are patentable over Jordahl in view of Wolton

In the Examiner’s Answer, the Examiner repeated the ground of rejection for claims 1-7, 10-18, and 21-26 presently under appeal, and provided additional support for the rejection. Specifically, the Examiner cited paragraphs [0510], [0566], and [0570] of Wolton for teaching of the following claimed limitations “analyzing a spatial location of the common element in an article of the plurality of articles; and determining whether the common element is a boilerplate element of the article based at least in part on the spatial location.” In addition, the Examiner also asserted that Wolton shows the analysis of the spatial locations of the common element which is the boilerplate element.

As argued in the Appeal Brief, Jordahl discloses a system and method for creating an environment where the analysis of similarities and differences between pieces of information can be customized and displayed in a manner that is easily understood. Wolton discloses a system displaying search results in alternate three-dimensional and two-dimensional graphical visualization formats. Neither reference teaches analyzing spatial locations of elements or determining whether the elements are boilerplate elements.

Paragraph [0510] of Wolton teaches applying a transformation to process common information nodes or site page nodes into 3D morph target points. Paragraph [0566] of Wolton teaches that a user may choose to switch from one information environment metaphor to another, and when this occurs, common information source elements become graphical morph trajectory anchor points. Paragraph [0570] of Wolton teaches that identified element locations in multiple representations can undergo graphical animation morphing, and common spatial element locations in different information environment metaphors are common morph target anchor

points. Each of these paragraphs is about representing or transforming information in various 3D representations, and not relevant to analyzing a spatial location of a common element in an article of a plurality of articles, or determining whether the common element is a boilerplate element based on the spatial location.

Accordingly, Appellant respectfully submits that a person of ordinary skill in the art would not have found the elements of independent claim 1 obvious in view of the cited references at the time of the invention. The rejection of independent claims 5, 14, and 16, and the dependent claims is improper for at least the same reason.

B. Claims 11 and 22 are patentable over Jordahl in view of Wolton

In the Examiner's Answer, the Examiner repeated the ground of rejection for claims 11 and 22 presently under appeal, and provided additional support for the rejection. Specifically, the Examiner cited paragraphs [0136] and [0176] of Jordahl for teaching of the following claimed limitations "responding to the common element being the boilerplate element, removing the boilerplate element from the article; and indexing the article."

Paragraph [0136] of Jordahl teaches recognizing common hierarchy elements in two different hierarchies and merging the two hierarchies based on the common hierarchy elements. Merging hierarchies based on common hierarchy elements is different from removing a boilerplate element from an article responsive to the boiler element being a common element. In the former case, two hierarchies are integrated by combining their common hierarchy elements, disregarding whether the common hierarchy elements are boilerplate elements or not. In the latter case, only those common elements determined to be boilerplate elements are removed from articles.

Paragraph [0176] of Jordahl teaches storing items in temporary structures to support a search, and building indexes by breaking down a sparse matrix information into standard database structures of tables and indexes. It is not relevant to indexing an article with its boilerplate elements removed.

Accordingly, Appellant respectfully submits that a person of ordinary skill in the art would not have found the additional elements of dependent claim 11 obvious in view of the cited references at the time the invention was made. The rejection of dependent claim 22 is improper for at least the same reason.

C. Claims 8, 9, 19, and 20 are patentable over Jordahl in view of Wolton

In the Examiner's Answer, the Examiner repeated the ground of rejection for claims 8, 9, 19, and 20 presently under appeal, and provided additional support for the rejection. Specifically, the Examiner cited paragraph [0133] of Jordahl for teaching "determining whether the common element is a boilerplate element of the article based at least in part on the link associated with the common element." In addition, the Examiner also asserted that Jordahl discloses in detail the common hierarchy element linked to other elements of two different hierarchies.

Paragraph [0133] of Jordahl teaches that different hierarchies can be linked by common elements, as illustrated in FIG. 5 of Jordahl. Integrating two different hierarchies by sharing common elements is different from determining whether the common element is a boilerplate element because the integration disregards whether the common elements are boilerplate elements. The rest of Jordahl is also silent as to distinguishing boilerplate elements from non-boilerplate elements.

Accordingly, Appellant respectfully submits that a person of ordinary skill in the art would not have found the elements of independent claim 8 obvious in view of the cited references at the time the invention was made. The rejection of independent claim 19 and the dependent claims is improper for at least the same reason.

Summary

For the foregoing reasons, Appellant believes that the Examiner's rejections of claims 1-26 were erroneous, and respectfully request that the Board reverse the rejections.

Respectfully submitted,
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